

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L ANKARA 009183

SIPDIS

E.O. 12958: DECL: 12/30/2012

TAGS: [PGOV](#) [PREL](#) [PINS](#) [TU](#)

SUBJECT: TURKISH PARLIAMENT RE-ENACTS VETOED CONSTITUTIONAL AMENDMENTS; ALL EYES ON PRESIDENT SEZER

REF: ANKARA 9073

(U) Classified by Political Counselor John W. Kunstadter;
reasons: 1.5 (b,d)

1. (U) Turkish Parliament Dec. 27 re-enacted without changes a package of constitutional amendments designed to pave the way for Justice and Development (AK) Party leader Erdogan to regain his political rights, run for parliament, and thus become Prime Minister (reftel). The package -- approved by parliament Dec. 13 but vetoed by President Sezer -- passed strongly with 437 votes in the 550-seat parliament, including fairly broad support from opposition Republican People's Party (CHP). Forty-four deputies, mostly CHP, opposed; one abstained.

2. (C) Sezer is obliged to sign the re-enacted package, but has the authority to call for a national referendum or send the package to the Constitutional Court for a judgment. A move in either direction would suspend application of the amendments, thereby leaving Erdogan in limbo and thus ineligible to run in a Feb. 9 by-election. Opinion makers are divided as to whether Sezer will call for a referendum, but most think such a move would be risky for Sezer's image since it is very likely the referendum would pass.

3. (C) That said, Sezer, who as a lifelong civil servant and former Chief Justice of the Supreme Court has exhibited no patience for or understanding of the vagaries of party politics, defended his earlier veto on the grounds that the constitution cannot be amended "for the benefit of one person".

4. (C) This is an exceedingly narrow judgment but one consistent with Sezer's and fellow Establishment elements' considerable distaste for Erdogan and AK. Many of our contacts across the spectrum see these elements (e.g., among ranking military officers, most of the bureaucracy, the judiciary, the educational establishment, and segments of Big Business) aiming to keep Erdogan and AK twisting in the wind by preventing Erdogan's smooth return to the elected political stage and by promoting friction between a sidelined Erdogan and P.M. Gul. Our contacts note that, beyond a referendum, the State has other instruments -- including the continuing closure case against AK and corruption trials involving alleged misdeeds by Erdogan as Mayor of Istanbul -- to keep him, his party and the AK government off balance.

PEARSON